

## Message Text

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PAGE 01 ANKARA 09612 181106Z  
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 PM-04 H-01 INR-07 L-03 NSAE-00  
NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 CU-02 SY-05  
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P R 180954Z DEC 76  
FM AMEMBASSY ANKARA  
TO SECSTATE WASHDC PRIORITY 5854  
INFO AMEMBASSY ATHENS  
AMEMBASSY NICOSIA  
DIA/DN2 WASHDC  
AMCONSUL ADANA  
AMCONSUL IZMIR  
AMCONSUL ISTANBUL  
CINCEUR  
EUCOM

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E.O. 11652: N/A  
TAGS: PINT, PINS, TU  
SUBJECT: POSSIBLE GOVERNMENT MEASURES TO COUNTER VIOLENCE

REF: ANKARA 9482 (DTG 141210Z DEC 76)

1. AS STUDENT VIOLENCE CONTINUES TO DISRUPT UNIVERSITIES AND  
SECONDARY SCHOOLS ACROSS TURKEY, PARTISAN DEBATE HAS INTENSIFIED  
OVER WHAT FURTHER CONTROL MEASURES ARE AVAILABLE TO THE DEMIREL  
GOVERNMENT.

2. PRIMIN DEMIREL RECENTLY PROPOSED PRIORITY PARLIAMENTARY  
ATTENTION TO DOMESTIC SECURITY LEGISLATION. BASICALLY HIS PROPOSALS  
ARE AIMED AT RESTONG VARIOUS PROVISIONS (ANNULLED BY THE  
CONSTITUTIONAL COURT) TO THE ASSOCIATIONS AND UNIVERSITIES ACTS,

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PAGE 02 ANKARA 09612 181106Z

AND ENACTMENT OF NEW LEGISLATION ON STATE SECURITY COURTS AND  
POLICE POWERS. (DEMIREL FAILED IN AN ATTEMPT TO PASS A STATE  
SECURITY COURTS BILL IN JUNE AND THEN AGAIN IN A SPECIAL SESSION OF  
THE NATIONAL ASSEMBLY IN SEPTEMBER AND OCTOBER. SIMILARLY,  
AMENDMENTS TO THE UNIVERSITY AND ASSOCIATION ACTS WERE INTRODUCED  
IN THE LAST PARLIAMENTARY SESSION BUT NEVER CAME TO THE FLOOR).

HOWEVER, NO LEGISLATION IS LIKELY UNTIL AFTER CONCLUSION OF THE BUDGET BILL ON MARCH 1.

3. SINCE DEMIREL'S SUGGESTION ON DECEMBER 10 THAT THE GOVERNMENT HAD ONLY TWO FURTHER MEASURES AVAILABLE TO IT TO COUNTER STUDENT VIOLENCE--MARTIAL LAW OR GOVERNMENT TAKE-OVER OF THE UNIVERSITIES--THE QUESTION OF WHETHER THE GOVERNMENT HAS AUTHORITY TO TAKE OVER THE UNIVERSITIES HAS BEEN DEBATED IN THE PRESS. MOST OF THE CONFUSION CENTERS ON THE SIGNIFICANCE OF A CONSTITUTIONAL COURT DECISION WHICH ANNULLED ARTICLE 69 OF THE UNIVERSITIES ACT, A PROVISION THAT AUTHORIZED GOVERNMENT TAKE-OVER. HOWEVER, IT APPEARS TO US THAT DEMIREL HAS THE POWER TO DO SO UNDER ARTICLE 120 OF THE CONSTITUTION WHICH STATES THAT THE "COUNCIL OF MINISTERS SHALL TAKE CHARGE OF THE MANAGEMENT OF THE UNIVERSITIES...IN CASE THE FREEDOM OF LEARNING AND TEACHING IN THESE UNIVERSITIES...IS ENDANGERED, AND IF SUCH DANGER IS NOT AVERTED BY THE UNIVERSITY ORGANS." ARTICLE 120 FURTHER REQUIRES THAT THE GOVERNMENT SUBMIT "WITHOUT DELAY" ANY SUCH ACTION FOR APPROVAL BY A JOINT SESSION OF THE GRAND NATIONAL ASSEMBLY.

4. ARTICLE 70 OF THE UNIVERSITIES ACT, WHICH WAS NOT RPT NOT ANNULLED BY THE COURT, SPECIFIES THE POWERS OF THE GOVERNMENT IN THE EVENT OF A TAKE-OVER. BRIEFLY, THEY ARE: TO SUSPEND, FIRE OR HIRE ANY UNIVERSITY EMPLOYEE, PROHIBIT ATTENDANCE OF INDIVIDUAL STUDENTS, CLOSE THE UNIVERSITY AND TO INITIATE "DISCIPLINARY AND PENAL INQUIRIES" AGAINST THOSE RESPONSIBLE FOR THE SITUATION WHICH LED TO THE TAKE-OVER.

5. DEMIREL TOLD REPORTERS DECEMBER 16 THAT HE OPPOSED A RECENT DECISION BY THE ANKARA UNIVERSITY SENATE SUSPENDING CLASSES THERE. LIMITED OFFICIAL USE

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PAGE 03 ANKARA 09612 181106Z

DEMIREL SAID THAT THE GOVERNMENT HAD TAKEN EVERY MEASURE FOR THE CONTINUATION OF EDUCATION AND "IF THE UNIVERSITY WANTED MORE STEPS, IT SHOULD SPEAK OUT AND DEFINE THEM.

6. COMMENT: DEMIREL WILL PROBABLY CONTINUE (FOR AS LONG AS HE THINKS IT IS POSSIBLE) ATTEMPTING TO CONTROL STUDENT UNREST THROUGH THE USE OF INCREASED POLICE PRESENCE ON THE CAMPUSES, BECAUSE EITHER A TAKE-OVER OF THE UNIVERSITIES OR A DECLARATION OF MARTIAL LAW WOULD PROVOKE HEATED POLITICAL OPPOSITION. FURTHERMORE, PARLIAMENTARY APPROVAL IS NECESSARY FOR A DECLARATION OF MARTIAL LAW, AND AT PRESENT IT SEEMS UNLIKELY THAT PARLIAMENT WOULD GRANT IT. HOWEVER, IF THE THREAT OF TOUGH ACTION DOES NOT HAVE A SALUTARY EFFECT ON THE UNIVERSITIES, THE MOUNTING VOLUME OF STUDENT DEATHS AND INJURIES MAY EVENTUALLY PRODUCE A GENUINE CRISIS HERE. IN THE MEANTIME, IT MAY BE THAT BY SUGGESTING THAT MARTIAL LAW AND A UNIVERSITIES TAKE-OVER ARE POSSIBLE STEPS TO BE CONSIDERED, ANRPY ADVOCATING TOUGH LEGISLATION REMINISCENT

OF THE MARTIAL LAW PERIOD THAT FOLLOWED HIS REMOVAL BY THE MILITARY  
IN 1971, DEMIREL IS SEEKING TO REDUCE THE POSSIBLE GROUNDS FOR  
YET ANOTHER MILITARY INTERVENTION AGAINST HIM.  
MACOMBER

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## Message Attributes

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